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7 STEPHEN ANTHONY LATTIMER and  
STURGEON ELECTRIC COMPANY, INC.  
8

9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA

11 BRENDA CHERRY EDWARDS,  
12 Individually,

13 Plaintiff,

14 vs.

15 STEPHEN ANTHONY LATTIMER,  
Individually; STURGEON ELECTRIC  
16 COMPANY, INC., a foreign corporation;  
DOES I through X, inclusive; and ROE  
17 CORPORATIONS I through XX, inclusive,

18 Defendants.  
19

CASE NO.: 2:18-cv-01072-JCM-NJK

~~PROPOSED~~ STIPULATION TO  
ENLARGE DISCOVERY PLAN AND  
SCHEDULING ORDER  
(FIRST REQUEST)

20 Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective  
21 counsel of record, hereby stipulate and request that this Court extend discovery in the  
22 above-captioned case over ninety (90) days, including April 15, 2019, to complete a  
23 FRCP medical exam. In addition, the parties request that the dispositive motions and  
24 pretrial order deadlines be extended as outlined herein. In support of this Stipulation and  
25 Request, the parties state as follows:

26 STATEMENT SPECIFYING DISCOVERY COMPLETED

27 Plaintiff served Defendants with medical records.

28 Defendants served their initial disclosures.

1 Defendants served written discovery.

2 Defendants requested a FRCP Rule 35 medical exam.

3 DISCOVERY REMAINING

4 1. The parties will complete all written discovery.

5 2. The Plaintiff will take the deposition of the Defendants.

6 3. The Defendants will retain a medical expert to conduct a FRCP Rule 35  
7 medical examination for any part in controversy.

8 3. The Defendants will take the deposition of the Plaintiff to coincide with her  
9 FRCP Rule 35 medical examination.

10 3. The parties will take the depositions of any and all other witnesses garnered  
11 through discovery.

12 This Request for an extension of time is not sought for any improper purpose or  
13 other purpose of delay. Rather, it is sought by the parties solely for the purpose of  
14 allowing sufficient time to conduct discovery.

15 WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

16 Recently counsel have met and conferred regarding the Defendants' request for an  
17 extension of time to complete the FRCP 35 medical exam of Plaintiff. Defense counsel  
18 cannot schedule and complete the exam until after the current deadline to disclose initial  
19 experts (October 15, 2018), as the doctor's office needed more dates and times to  
20 conduct the examination and complete the report sometime after December, 2018.  
21 Bradley S. Mainor, Esq., Plaintiff's counsel, has agreed to extend the deadlines to  
22 complete the exam due to the doctor's limited availability, and then complete the  
23 Plaintiff's deposition to coincide with the examination. This will save time, costs and  
24 judicial resources, and allow Plaintiff to provide her records before the exam.

25 The parties have been compiling documents and investigating the instant action.  
26 The parties are actively engaged in written discovery and will proceed with any remaining  
27 case depositions. The parties jointly request the Court to approve the foregoing First  
28 Extension to the Stipulated Discovery Plan and Scheduling Order as follows:

1        Extension or Modification of The Discovery Plan and Scheduling Order.

2        LR 26-4 governs modifications or extension of this discovery plan and scheduling  
3 order. Any stipulation or motion must be made no later than twenty-one (21) days before  
4 the expiration of the subject deadline, and comply fully with LR 26-4.

5        The following is a list of the current discovery deadlines and the parties' proposed  
6 extended deadlines.

7                    PROPOSED SCHEDULE FOR COMPLETING DISCOVERY

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	December 14, 2018	<del>April 15, 2019</del> March 14, 2019
Amendment to Pleadings	<del>October 15, 2018</del> September 14, 2018	<del>February 15, 2019</del> December 13, 2018
Interim Status Report	October 15, 2018	<del>February 15, 2019</del> January 14, 2019
Expert Disclosure pursuant to Fed R. Civ. P. 26 (a)(2)	October 15, 2018	<del>February 15, 2019</del> January 14, 2019
Rebuttal Expert Disclosure pursuant to Fed. R. Civ. P. 26(a)(2)	November 14, 2018	<del>March 15, 2019</del> February 12, 2019
Dispositive Motions	January 14, 2019	<del>May 15, 2019</del> April 15, 2019
Joint Pretrial Order	February 13, 2019	<del>June 17, 2019</del> May 14, 2019

19        This Request for an extension of time is not sought for any improper purpose or  
20 other purpose of delay. Rather, it is sought by the parties solely for the purpose of  
21 allowing sufficient time to conduct discovery in this multi-party case and adequately  
22 prepare their respective cases for trial.

23        This is the first request for extension of time in this matter. The parties respectfully  
24 submit that the reasons set forth above constitute compelling reasons and good cause for  
25 the short extension.

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1 WHEREFORE, the parties respectfully request that this Court extend the discovery  
2 period from the current deadline up to and including April 15, 2019 and the other  
3 discovery dates as outlined above, as the Rule 35 medical exam, expert report and  
4 depositions cannot be completed within the current discovery deadlines.

5 Respectfully Submitted,

6 DATED: August 29, 2018.

7 MAINOR WIRTH, LLP  
8

9 By /s/ Bradley S. Mainor  
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10 Nevada Bar No. 007434  
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13 BRENDA CHERRY EDWARDS

14 DATED: August 29, 2018.

15 LEWIS BRISBOIS BISGAARD & SMITH LLP  
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17 By /s/ Josh Aicklen  
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21 STEPHEN ANTHONY LATTIMER and  
22 STURGEON ELECTRIC COMPANY, INC.

23 ORDER

24 "IT IS SO ORDERED.

25 DATED: August 30, 2018  
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28 UNITED STATES MAGISTRATE JUDGE